

REMARKS

Reconsideration of the above-referenced application in view of the above amendment, and of the following remarks, is respectfully requested.

Claims 1, 2, and 4-16 are pending in this case. Claims 1 and 4 are amended herein and claim 3 is cancelled herein. Claims 15 and 16 are added herein.

The Examiner rejected claims 1-14 under 35 U.S.C. 102(b) as being anticipated by Johnson (U.S. Patent 6,426,168).

Applicant respectfully submits that amended claim 1 is unanticipated by Johnson as there is no disclosure or suggestion in the reference of one or more semiconductor wafers being multiply patterned by the reference mask and by the inspection item mask, the patterns generated by the reference mask are compared to the patterns generated by the inspection item mask in pairs, recurrent discrepancies between the two patterns compared are detected and deviations in the inspection item mask from the reference mask being established from the recurrent discrepancies. Johnson teaches forming a pattern with MASK-1 and forming a pattern with MASK-2. Johnson further teaches that the invention is not limited to using just two photomasks. However, Johnson does not disclose or suggest multiple patterning on a wafer with any mask much less both a reference mask and an inspection item. Johnson further does not disclose or suggest detecting recurrent discrepancies. Accordingly, Applicant respectfully submits that claim 1 and the claims dependent thereon are unanticipated by Johnson.

Applicant respectfully submits that claim 5 is further unanticipated by Johnson as there is no disclosure or suggestion in the reference of the patterns of the reference reticule and of the inspection item reticule being arranged alternatingly side-by-side in columns on the wafer. As discussed above, only a single pattern from each mask is taught by Johnson.

Applicant respectfully submits that claim 10 and new claim 15 are unanticipated by Johnson as there is no disclosure or suggestion in the reference of the inspection item mask featuring an intentional change as compared to the reference mask, wherein the pattern of the inspection item mask is increased or reduced in size as compared to the pattern of the reference mask. The only change mentioned by Johnson is a 1X to 5X magnification change of the reticle/mask. Johnson does not disclose or suggest a change in the patterns formed by the different masks, much less wherein the pattern of the inspection item mask is increased or reduced in size as compared to the pattern of the reference mask. Accordingly, Applicant respectfully submits that claims 10, 15, and 16 are unanticipated by Johnson.

In light of the above, Applicant respectfully requests withdrawal of the Examiner's rejections and allowance of claims 1, 2, and 4-16. If the Examiner has any questions or other correspondence regarding this application, Applicant requests that the Examiner contact Applicant's attorney at the below listed telephone number and address.

Respectfully submitted,

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